THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.23419 OF 2006

DATE: 10th November 2006

Between:

Smt. MuthabathulaChina Durga,
W/o Arjunudu, r/o Ankampalem village,
Attrayapuram Mandal, East Godavari
District.

... Petitioner.

And

1. The Government of Andhra Pradesh,
   represented by its Secretary,
   Dept. of Panchayat Raj & Rural Development
   Secretariat, Hyderabad and 3 others.

... Respondents.

* * *

ORDER:

This writ petition is filed for a writ of Mandamus declaring the inaction of the respondents in not initiating action for disqualification of the 4th respondent as 9th ward member of Ankampalem village, Attreyapuram Mandal, East Godavari District, for having more than 3 children born after 1993, as illegal, arbitrary and violative of the provisions of A.P. Panchayat Act, 1994.

2. Several factual details are narrated in the affidavit filed in support of the writ petition. It is stated by the learned Assistant Government Pleader for Panchayat Raj that representation was not made before the Village Secretary concerned and straight away the said

representation was made to the District Panchayat Officer which is not in accordance with the provisions of Section 22 of the A.P. Panchayat Raj Act, 1994.

3. In view of the same, liberty is given to the petitioner to follow proper procedure as contemplated under Section 22 of the Act and it is needless to say that the authorities to process and dispose of the same in accordance with law as expeditiously as possible.

4. With the above direction, the writ petition is disposed of. No order as to costs.

_____

10-11-2006

Note:

Issue CC by 13.11.2006

//B.O.//

BSB